REMARKS

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1-23, 25 and 26 are now present in the application. Claims 11, 19 and 23 have been amended. Claim 24 has been cancelled. Claims 1, 13 and 19 are independent. Reconsideration of this application, as amended, is respectfully requested.

Claim Rejections Under 35 U.S.C. §112

Claims 11 and 23 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. This rejection is respectfully traversed.

In view of the foregoing amendments, it is respectfully submitted that this rejection has been addressed. In particular, the majority vote means that, for each bit, the combining result is equal to the value that appears more frequently in the received data blocks. For example, if a particular bit, say the 10th bit, of 3 different received data blocks is 1, 0, 1 respectively, the majority is 1 so that the combining result is 1.

Accordingly, all pending claims are now definite and clear. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, are therefore respectfully requested.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Lin, U.S. Patent No. 5,832,000. This rejection is respectfully traversed.

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Independent claim 1 recites a combination of elements including "successively transmitting a first predetermined number of more than one identical instances of a data block with a first transmitter of the first peer."

The Examiner alleged that Lin teaches transmitting identical instances (514, 516, 518 in Fig. 6) of a data block (512 in Fig. 6) with a first transmitter (r 202 in Fig. 2) of the first peer. However, Lin simply discloses that the groups 514 and 516 are a shuffled version of the original message 512, and group 518 provides a combination of groups 514 and 516 to increase redundancy of the original message 512. It should be noted that none of the groups 514, 516 and 518 are identical instances of the original message 512. Therefore, Lin fails to teach "successively transmitting a first predetermined number of more than one identical instances of a data block with a first transmitter of the first peer" as recited in claim 1.

In addition, claim 1 recites "receiving at least two of the first predetermined number of identical instances of the data block with a second receiver of the second peer." The Examiner alleged that Lin teaches receiving at least two of the first predetermined number of identical instances of the data block (520, 522 in Fig. 6) with a second receiver (304 in Fig. 3) of the second peer. However, it should be noted that groups 520 and 522 are not identical instances of the original message 512.

Dependent claim 2 recites "transmitting a response to the complete instance of the data block with a second transmitter of the second peer." The Examiner alleged that Lin in Fig. 5, step 510 teaches transmitting the error-tolerant message to the designated SCU's of Fig. 1. However, Lin's FIGs. 5 and 7 are flow charts 500, 600 depicting the operation of the controller 112 and the SCU 122 of FIG. 1, respectively (see col. 4, lines 32-34). Therefore, the step 510 is

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performed in the controller 112, which belongs to the network side containing Base Station 116. In other words, the step 510 is performed with the first transmitter of the first peer rather than by the second peer as is recited in claim 2. In fact, the purpose and the result of Lin are to avoid retransmission requests from SCU's (see col. 1, lines 31-35, and col. 9, lines 9-11). Although, Lin mentions retransmission request by SCU in col. 1, lines 31-35, there is no motivation to combine retransmission request with the invention of Lin.

Dependent claim 3 recites "successively transmitting a second predetermined number of more than one identical instances of the response with the second transmitter of the second peer." The Examiner alleged that Lin in col. 6, lines 45-47 teaches that a selected number of the nine groups may be transmitted at different times thereby providing diversity transmission of the error-tolerant message. However, Lin performs this step with the controller 112, *i.e.*, the first transmitter of the first peer rather than being performed by the second peer as specified in claim 3.

Independent claim 13 recites a combination of elements including "a first receiver electrically connected to the first antenna for receiving a response from the receiving peer." The Examiner alleged that Lin teaches this feature with the receiver 304 of FIG. 3. However, Lin's receiver 304 is part of the receiving peer, not part of the transmitting peer as claimed. Furthermore, as mentioned above with respect to claim 2, the transmitting peer 116 and 112 in Lin does not expect any response from the receiving peer 122.

Claim 13 also recites "a first processor electrically connected to the first transmitter for controlling the first transmitter to successively transmit a first predetermined number of more than one identical instances of a data block via the first antenna." As explained in the response

for claim 1, groups 514, 516 and 518 are not identical instances of the original message 512.

Therefore, Lin does not disclose or suggest this claimed feature.

Claim 13 further recites "wherein the first processor is capable of detecting an expected response of the data block at the first receiver, and accordingly disabling the successive transmission of identical instances of the data block at the first transmitter." The Examiner alleged that Lin teaches detecting an expected response in step 510 of FIG. 5 where it teaches transmitting the error-tolerant message to the designated SCU's of Fig. 1. However, Lin transmits the message but does not expect a response of the data block from the receiving peer. In other words, Lin does not disclose that the controller 112 can detect an expected response of the data block.

The Examiner also alleged that Lin in col. 3, lines 61-65 teaches disabling the successive transmission of identical instances or the data block with the SCU 122 to request retransmission of portions of corrupted messages that are unrecoverable. However, Lin does not teach or suggest that transmission of the nine groups in 520-524 can be disabled. On the contrary, all of them need be transmitted for the SCU 122 to recover the original message 512. Therefore, Lin does not teach the features of claim 13.

Independent claim 19 has been amended to include the limitations of claim 24 and now recites that the receiving peer comprises "a second transmitter for transmitting a response to the transmitting peer when the second processor forms a complete instance of the data block." The Examiner alleged that Lin teaches a second transmitter (SCU 122 in Fig. 1) for transmitting a response to the transmitting peer (608 in Fig. 7, process the original message reconstructed from the error-tolerant message.) However, Lin in col. 7, lines 41-45 teaches "[o]nce the original

message has been reconstructed, the SCU 122 proceeds to step 608 where the original message is processed in a conventional manner, thereby alerting a user of an incoming message, and displaying the message upon request." In other words, the step 608 in Lin does not teach or suggest transmitting a response to the transmitting peer. Therefore, there is no motivation to combine Lin's teachings and sending a response, such as an acknowledgement, to the transmitter.

Dependent claim 25 recites "the second transmitter is capable of successively transmitting a second predetermined number of more than one identical instances of the response." The Examiner alleges that Lin teaches this feature in group 524 of FIG. 6. However, group 524 is a set of data to be sent by the transmitter and received by the receiver. Group 524 is not sent back by the receiver, i.e., SCU 122. Besides, Lin does not teach or suggest sending any data block with identical instances of the data block. Therefore, Lin does not teach the features of claim 25.

Since Lin fails to teach each and every limitation of independent claims 1, 13 and 19 or their dependent claims, Applicants respectfully submit that claims 1, 13 and 19 and their dependent claims clearly define over the teachings of Lin. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 102 are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but merely to show the state of the prior art, no further comments are necessary with respect thereto.

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It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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